

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PATRICIA O'NEIL,

Plaintiff,

v.

DANIEL PROVENZANO,

Defendant.

ORDER

19 Civ. 5283 (ER)

RAMOS, D.J.

On June 5, 2019, Patricia O'Neil, *pro se*, brought this action against Daniel Provenzano for defamation and related claims. Doc. 2. On July 28, 2020, the Clerk issued a certificate of default judgment as to Defendant, who had never appeared in this case despite having been served. Docs. 18; 27. On October 9, 2020, the Court held an order to show cause hearing. Doc. 33. Defendant failed to appear and the Court issued a default judgment order against him. *Id.* On October 23, 2020, Defendant filed a notice of appeal and moved to proceed *in forma pauperis* ("IFP"). Doc. 35.

The Court finds that any appeal from the default judgment order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *See* 28 U.S.C. § 1915(a)(3); *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue). The Clerk of Court is respectfully directed to terminate the motion, Doc. 35.

It is SO ORDERED.

Dated: October 29, 2020
New York, New York



Edgardo Ramos, U.S.D.J.